

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:23-mc-00272-VSB**

Fabricant LLP et al v. Samsung Electronics Co., Ltd. et al
Assigned to: Judge Vernon S. Broderick
Cause: M 08-85 Motion to Quash

Date Filed: 08/14/2023
Date Terminated: 08/30/2023

Plaintiff

Fabricant LLP

represented by **Alfred Ross Fabricant**
Fabricant LLP
411 Theodore Fremd Road
Suite 206 South
Rye, NY 10580
646-797-4353
Fax: 212-257-5796
Email: ffabricant@fabricantllp.com
ATTORNEY TO BE NOTICED

Plaintiff

Peter Lambrianakos

represented by **Alfred Ross Fabricant**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Vincent Rubino, III

represented by **Alfred Ross Fabricant**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Zhong Law Firm

represented by **Alfred Ross Fabricant**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Enrique W. Iturralde

represented by **Alfred Ross Fabricant**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Samsung Electronics Co., Ltd.

represented by **Darin Walter Snyder**
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
(415)-984-8846
Fax: (415)-984-8701

Email: dsnyder@omm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Luann Simmons
O'Melveny & Myers LLP
Two Embarcadero Center
San Francisco, CA 94111-3823
415-984-8700
Fax: 415-984-8701
Email: lsimmons@omm.com
ATTORNEY TO BE NOTICED

Marc Joseph Pensabene
O'Melveny & Myers LLP
7 Times Square
New York, NY 10036
212-326-2000
Fax: 212-326-2061
Email: mpensabene@omm.com
ATTORNEY TO BE NOTICED

Mark Liang
O'Melveny & Myers LLP
Two Embarcadero Center
28th Floor
San Francisco, CA 94111
415-984-8882
Email: mliang@omm.com
ATTORNEY TO BE NOTICED

Sorin Gabriel Zaharia
O'Melveny & Myers LLP
Two Embarcadero Center
San Francisco, CA 94111-3823
415-984-8942
Fax: 415-984-8701
Email: szaharia@omm.com
ATTORNEY TO BE NOTICED

Defendant

Samsung Electronics America, Inc.

represented by **Darin Walter Snyder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Luann Simmons
(See above for address)
ATTORNEY TO BE NOTICED

Marc Joseph Pensabene
(See above for address)
ATTORNEY TO BE NOTICED

Mark Liang

(See above for address)

ATTORNEY TO BE NOTICED

Sorin Gabriel Zaharia

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/14/2023	<u>1</u>	FILING ERROR – PDF ERROR – MISCELLANEOUS CASE INITIATING DOCUMENT – MOTION to Quash Subpoenas issued to Fabricant LLP, Peter Lambrianakos, Vincent J. Rubino, III, Enrique W. Iturralde, and Zhong Law Firm . Other Court Name: United States District Court – Eastern District of Texas. Other Court Case Number: 2:22–cv–00263. (Filing Fee \$ 49.00, Receipt Number ANYSDC–28147163)Document filed by FABRICANT LLP, Peter Lambrianakos, Vincent Rubino, III, Zhong Law Firm. (Attachments: # <u>1</u> Affidavit Declaration of Alfred R. Fabricant, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Proposed Order Proposed Order)(Fabricant, Alfred) Modified on 8/15/2023 (vba). (Entered: 08/14/2023)
08/14/2023	<u>2</u>	MISCELLANEOUS COVER SHEET filed..(Fabricant, Alfred) (Entered: 08/14/2023)
08/14/2023	<u>3</u>	MOTION to Transfer Case to Quash Samsung's Non–Party Subpoenas to the court which issued the subpoenas. Document filed by FABRICANT LLP, Peter Lambrianakos, Vincent Rubino, III, Zhong Law Firm. (Attachments: # <u>1</u> Proposed Order Proposed Order).(Fabricant, Alfred) (Entered: 08/14/2023)
08/14/2023	<u>1</u>	***NOTICE TO ATTORNEY REGARDING DEFICIENT MISCELLANEOUS PLEADING. Notice to Attorney Alfred Ross Fabricant to RE–FILE Document No. <u>1</u> MISCELLANEOUS CASE INITIATING DOCUMENT – MOTION to Quash Subpoenas issued to Fabricant LLP, Peter Lambrianakos, Vincent J. Rubino, III, Enrique W. Iturralde, and Zhong Law Firm . Other Court Name: United States District Court – Eastern Distri. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the pleading is not correct; All supporting documents must be filed as separate entries on the docket. Re–file the pleading using the event type Motion to Quash found under the event list Miscellaneous Case Initiating Documents – attach the correct signed PDF – select the individually named filer/filers. If the deficiency/deficiencies are not corrected within five (5) days per Standing Order 17–mc–00201 this case will be administratively closed. Initial Pleading due by 8/21/2023. (vba) (Entered: 08/15/2023)
08/15/2023	<u>4</u>	MISCELLANEOUS CASE INITIATING DOCUMENT – MOTION to Quash Subpoenas issued to Fabricant LLP, Peter Lambrianakos, Vincent J. Rubino, III, Enrique W. Iturralde, and Zhong Law Firm . Other Court Name: United States District Court – Eastern District of Texas. Other Court Case Number: 2:22–cv–00263. Document filed by FABRICANT LLP, Peter Lambrianakos, Vincent Rubino, III, Zhong Law Firm, Enrique W. Iturralde. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Fabricant, Alfred) (Entered: 08/15/2023)
08/15/2023	<u>5</u>	PROPOSED ORDER. Document filed by FABRICANT LLP, Enrique W. Iturralde, Peter Lambrianakos, Vincent Rubino, III, Zhong Law Firm. Related Document Number: <u>4</u> ..(Fabricant, Alfred) Proposed Order to be reviewed by Clerk's Office staff. (Entered: 08/15/2023)
08/17/2023	<u>1</u>	***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Alfred Ross Fabricant. The party information for the following party/parties has been modified: The information for the party/parties has been modified for the following

		reason/reasons: party role was entered incorrectly;. (vba) (Entered: 08/17/2023)
08/17/2023	<u>1</u>	Case Designated ECF. (vba) (Entered: 08/17/2023)
08/17/2023	<u>1</u>	MISCELLANEOUS CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Vernon S. Broderick. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://https://nysd.uscourts.gov/rules/ecf-related-instructions . (vba) (Entered: 08/17/2023)
08/17/2023	<u>1</u>	***NOTICE TO COURT REGARDING PROPOSED ORDER. Document No. <u>5</u> Proposed Order, was reviewed and approved as to form. (vba) (Entered: 08/17/2023)
08/17/2023	<u>1</u> <u>6</u>	NOTICE OF APPEARANCE by Marc Joseph Pensabene on behalf of Samsung Electronics America, Inc., Samsung Electronics Co., Ltd...(Pensabene, Marc) (Entered: 08/17/2023)
08/18/2023	<u>1</u> <u>7</u>	MOTION for Darin Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28171304. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd.. (Attachments: # <u>1</u> Exhibit Declaration of Darin Snyder in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Proposed Order Admission Pro Hac Vice).(Snyder, Darin) (Entered: 08/18/2023)
08/18/2023	<u>1</u> <u>8</u>	MOTION for Sorin Zaharia to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28171348. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd.. (Attachments: # <u>1</u> Exhibit Declaration of Sorin Zaharia in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Proposed Order Admission Pro Hac Vice).(Zaharia, Sorin) (Entered: 08/18/2023)
08/21/2023	<u>1</u>	>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>8</u> MOTION for Sorin Zaharia to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28171348. Motion and supporting papers to be reviewed by Clerk's Office staff., <u>7</u> MOTION for Darin Snyder to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28171304. Motion and supporting papers to be reviewed by Clerk's Office staff. The document has been reviewed and there are no deficiencies. (vba) (Entered: 08/21/2023)
08/21/2023	<u>1</u> <u>9</u>	ORDER granting <u>7</u> Motion for Darin Snyder to Appear Pro Hac Vice (HEREBY ORDERED by Judge Vernon S. Broderick)(Text Only Order) (kjo) (Entered: 08/21/2023)
08/21/2023	<u>1</u> <u>10</u>	ORDER granting <u>8</u> Motion for Sorin Zaharia to Appear Pro Hac Vice (HEREBY ORDERED by Judge Vernon S. Broderick)(Text Only Order) (kjo) (Entered: 08/21/2023)
08/21/2023	<u>1</u> <u>11</u>	MOTION for Luann L. Simmons to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28173696. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd.. (Attachments: # <u>1</u> Affidavit / Declaration of Luann L. Simmons in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Exhibit – Certificate of Good Standing, # <u>3</u> Proposed Order Admission Pro Hac Vice).(Simmons, Luann) (Entered: 08/21/2023)
08/21/2023	<u>1</u> <u>12</u>	MOTION for Mark Liang to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–28173980. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd.. (Attachments: # <u>1</u> Affidavit / Declaration of Mark Liang in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Exhibit – Certificate of Good Standing, # <u>3</u> Proposed Order Admission Pro Hac Vice).(Liang, Mark) (Entered: 08/21/2023)

08/21/2023	I	>>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>11</u> MOTION for Luann L. Simmons to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-28173696. Motion and supporting papers to be reviewed by Clerk's Office staff., <u>12</u> MOTION for Mark Liang to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-28173980. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (vba) (Entered: 08/21/2023)
08/21/2023	<u>13</u>	RESPONSE in Opposition to Motion re: <u>4</u> MISCELLANEOUS CASE INITIATING DOCUMENT – MOTION to Quash Subpoenas issued to Fabricant LLP, Peter Lambrianakos, Vincent J. Rubino, III, Enrique W. Iturralde, and Zhong Law Firm . Other Court Name: United States District Court – Eastern Distri . Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd...(Pensabene, Marc) (Entered: 08/21/2023)
08/21/2023	<u>14</u>	DECLARATION of Sorin Zaharia in Support re: <u>13</u> Response in Opposition to Motion,. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd.. (Attachments: # <u>1</u> Exhibit A – Contact Webpage, # <u>2</u> Exhibit B – Our Team Webpage).(Pensabene, Marc) (Entered: 08/21/2023)
08/22/2023	<u>15</u>	ORDER granting <u>11</u> Motion for Luann L. Simmons to Appear Pro Hac Vice (HEREBY ORDERED by Judge Vernon S. Broderick)(Text Only Order) (kjo) (Entered: 08/22/2023)
08/22/2023	<u>16</u>	ORDER granting <u>12</u> Motion for Mark Liang to Appear Pro Hac Vice (HEREBY ORDERED by Judge Vernon S. Broderick)(Text Only Order) (kjo) (Entered: 08/22/2023)
08/23/2023	<u>17</u>	REPLY to Response to Motion re: <u>4</u> MISCELLANEOUS CASE INITIATING DOCUMENT – MOTION to Quash Subpoenas issued to Fabricant LLP, Peter Lambrianakos, Vincent J. Rubino, III, Enrique W. Iturralde, and Zhong Law Firm . Other Court Name: United States District Court – Eastern Distri . Document filed by Fabricant LLP, Enrique W. Iturralde, Peter Lambrianakos, Vincent Rubino, III, Zhong Law Firm..(Fabricant, Alfred) (Entered: 08/23/2023)
08/28/2023	<u>18</u>	NOTICE of Non–Opposition re: <u>3</u> MOTION to Transfer Case to <i>Quash Samsung's Non–Party Subpoenas to the court which issued the subpoenas</i> .. Document filed by Samsung Electronics America, Inc., Samsung Electronics Co., Ltd...(Pensabene, Marc) (Entered: 08/28/2023)
08/30/2023	<u>19</u>	ORDER granting <u>3</u> Motion to Transfer Case. Accordingly, the Motion to Transfer is GRANTED. SO ORDERED. (Signed by Judge Vernon S. Broderick on 8/30/2023) (tg) (Entered: 08/30/2023)
08/30/2023	I	CASE TRANSFERRED OUT ELECTRONICALLY from the U.S.D.C. Southern District of New York to the United States District Court – District of Eastern District of Texas.(tg) (Entered: 08/30/2023)